

Atty Docket No.: R0130D-CON
USPN: 10/823,012

REMARKS

Claims 1-46 are pending in the above-identified patent application. Each of these claims was previously presented in Applicants' Preliminary Amendment of April 14, 2004. No amendment to these claims is made herein. Claims 53 and 55-62 are withdrawn in accordance with Applicants' election as described below.

1. Restriction

Claims 1-46 were subject to restriction to one of the following groups:

Group I. Claims 48-52 and 54, drawn to products, classified in class 548, subclass 347.1;

Group II. Claim 53, drawn to process of making, classified in class 548, subclass 347.1; and

Group III. Claims 55-62, drawn to methods of use, classified in class 514, subclass 401.

The Examiner indicated that when Applicants elect claims directed to the product (Group I), and a product claim is subsequently found allowable, withdrawn process claims that depend from or otherwise include all the limitations of the allowable product claim will be rejoined in accordance with the provisions of MPEP §821.04.

Applicants' elect Group I, without traverse. Dependent method claims 53 and 55-62 have been withdrawn in accordance with Applicants' election, with the understanding that rejoinder of the withdrawn claims may be made in the event that product base claim 48 is ultimately determined to be allowable.

For examination purposes Applicants elect the species represented by Example 3, N-[2-chloro-4-(4,5-dihydro-1H-imidazol-2-ylmethyl)-phenyl]-methanesulfonamide (shown in step 4, page 49).

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CONCLUSION

The Applicants respectfully request speedy examination and allowance of the above-identified case.

Respectfully submitted,



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